

### **REMARKS**

This paper is responsive to the Office Action of August 11, 2006.  
Reexamination and reconsideration of the application are respectfully requested.

#### **The Office Action**

**Claims 1–6, 9, 10, 12, 14, 15, 17–21, 23–25, and 28** stand rejected under 35 USC §103(a) as being unpatentable over Abe (US Patent No. 5,056,023).

**Claims 7 and 11** stand rejected under 35 USC §103(a) as being unpatentable over Abe in view of Tinsley et al. (US Patent No. 6,343,617).

**Claims 8, 13, 22, and 26** stand rejected under 35 USC §103(a) as being unpatentable over Abe in view of Hutchinson (US Patent No. 6,750,787).

**Claim 27** stands rejected under 35 USC §103(a) as being unpatentable over Abe in view of Tinsley et al. and in view of Hutchinson.

**Claims 16 and 29** stand rejected under 35 USC §103(a) as being unpatentable over Abe in view of Fiske et al. (US Patent No. 5,644,491).

#### **The Claims of the Present Application Distinguish Over the Cited References**

**Claim 1** recites a microcontroller receiving and interpreting a standard diagnostic message.

Abe discloses a diagnosis unit **25** including a controller **28**. Applicants disagree with the Examiner's assertion that the controller **28** of Abe is capable of receiving and interpreting a standard diagnostic message. Abe relies on a memory cartridge **34** in the

controller **28** to store various diagnosis programs for interpreting messages from respective ECUs **501–504** on the vehicle. Therefore, the controller **28** of Abe cannot receive and interpret a standard message, as recited in **claim 1**. Furthermore, since Abe can only receive messages from ECUs for which the memory cartridge **34** stores a corresponding diagnosis program, there is no suggestion that the controller **28** in Abe receives and interprets a standard message.

In addition, neither Tinsley et al. nor Hutchinson discloses or suggests a microcontroller receiving and interpreting a standard diagnostic message, as recited in **claim 1**. Therefore, neither Tinsley et al. nor Hutchinson overcomes the deficiencies of Abe with regard to receiving standard messages.

As discussed above, none of Abe, Tinsley et al., or Hutchinson discloses or suggests a microcontroller receiving and interpreting a standard diagnostic message, as recited in **claim 1**. Therefore, **claim 1** and **claims 2–9**, which depend therefrom, are patentable over Abe, Tinsley et al., and Hutchinson, either taken alone or in any combination.

**Claim 10** recites a means for receiving and interpreting a standard diagnostic message. As discussed above, none of Abe, Tinsley et al., or Hutchinson discloses or suggests a means for receiving and interpreting a standard diagnostic message, as recited in **claim 10**. In addition, Fiske et al. fails to disclose or suggest a means for receiving and interpreting a standard diagnostic message, as recited in **claim 10**. Therefore, **claim 10** and **claims 11–17**, which depend therefrom, are patentable over Abe, Tinsley et al., Hutchinson, and Fiske, either taken alone or in any combination.

**Claim 18** recites a remote diagnostic unit including a microcontroller receiving and interpreting a standard diagnostic message. As discussed above, neither Abe nor Hutchinson discloses or suggests a microcontroller receiving and interpreting a standard diagnostic message, as recited in **claim 18**. Therefore, **claim 18** and **claims 19–24**,

which depend therefrom, are patentable over Abe and Hutchinson, either taken alone or in combination.

**Claim 25** recites transmitting a signal, indicating a standard message, from an electronic control unit. The claim also recites receiving the signal into a remote diagnostic unit and interpreting the signal as the standard message within the remote diagnostic unit. As discussed above, none of Abe, Tinsley et al., Hutchinson, or Fiske discloses or suggests receiving a signal, indicating a standard message, into a remote diagnostic unit and interpreting the signal as the standard message, as recited in **claim 25**. Therefore, **claim 25** and **claims 26–29**, which depend therefrom, are patentable over Abe, Tinsley et al., Hutchinson, and Fiske, either taken alone or in any combination.

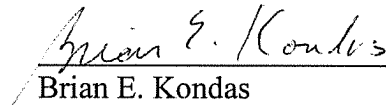
### **CONCLUSION**

For the foregoing reasons, it is submitted that the claims of the present application are in condition for allowance. Early notice thereof is respectfully requested.

It is believed that there is no fee associated with the filing and consideration of this response. Should the Commissioner decide that any fee or fee deficiency is due, the Commissioner is hereby authorized to charge any and all such fees, and/or credit any overpayments, incurred as a result of entering this response to Deposit Account No. 03-0172.

Respectfully submitted,

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